IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

C.W.P. No. 15941 of 2007
Date of Decision: 11.10.2007

Viresh Kumar.

..... Petitioner through Shri J.K.Goel, Advocate.

Versus

State of Haryana and others.

..... None for Respondents.

CORAM: HON'BLE MR. JUSTICE VIJENDER JAIN,
CHIEF JUSTICE
HON'BLE MR.JUSTICE MAHESH GROVER

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1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

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VIJENDER JAIN, CHIEF JUSTICE

The petitioner, while impugning order dated 19.3.2007 passed by the Chairman of the Tribunal constituted under the Punjab Scheduled Roads and Controlled Areas (Restriction of Unregulated Development) Act,1963 (for short, `the Act'), has contended that since his land, on which he had raised construction, has come within the municipal limits of the city, therefore, the Act will have no applicability qua the same.

We have heard the learned counsel for the petitioner and find that the unauthorised construction on the land in question was raised much prior to the expansion of the municipal limits. In the year 1994, the petitioner was warned by issuance of a show cause notice asking him to stop

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the illegal construction forthwith, but he did not desist and completed the construction. The mere fact that subsequently the area has come within the municipal limits on account of expansion of the limits of the town, the unauthorised construction raised by the petitioner would not gain legitimacy either by efflux of time or by subsequent developments.

Hence, the present petition is devoid of any merit and is hereby dismissed.

(Vijender Jain)
Chief Justice

October 11,2007 **(Mahesh Grover)**
"SCM" **Judge**